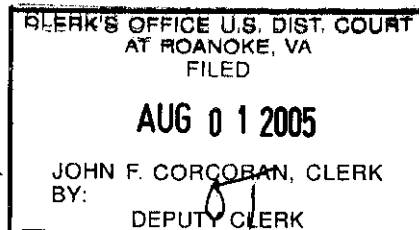


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



KAREN CHANITA POWELL,

Petitioner,

v.

BARBARA J. WHEELER,

Respondent.

)
) Civil Action No. 7:05CV00421
)
)

) FINAL ORDER
)
)

) By: Samuel G. Wilson
) United States District Judge
)

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that the above captioned 28 U.S.C. § 2254 petition is **DISMISSED** as untimely pursuant to Rules 3 and 4 of the Rules Governing Section 2254 Cases. This action is stricken from the active docket of the court.

Powell is advised that she may appeal this decision pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal in this court within thirty (30) days of the date of entry of this order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the petitioner and to counsel of record for the respondent.

ENTER: This 1st day of August, 2005.


UNITED STATES DISTRICT JUDGE